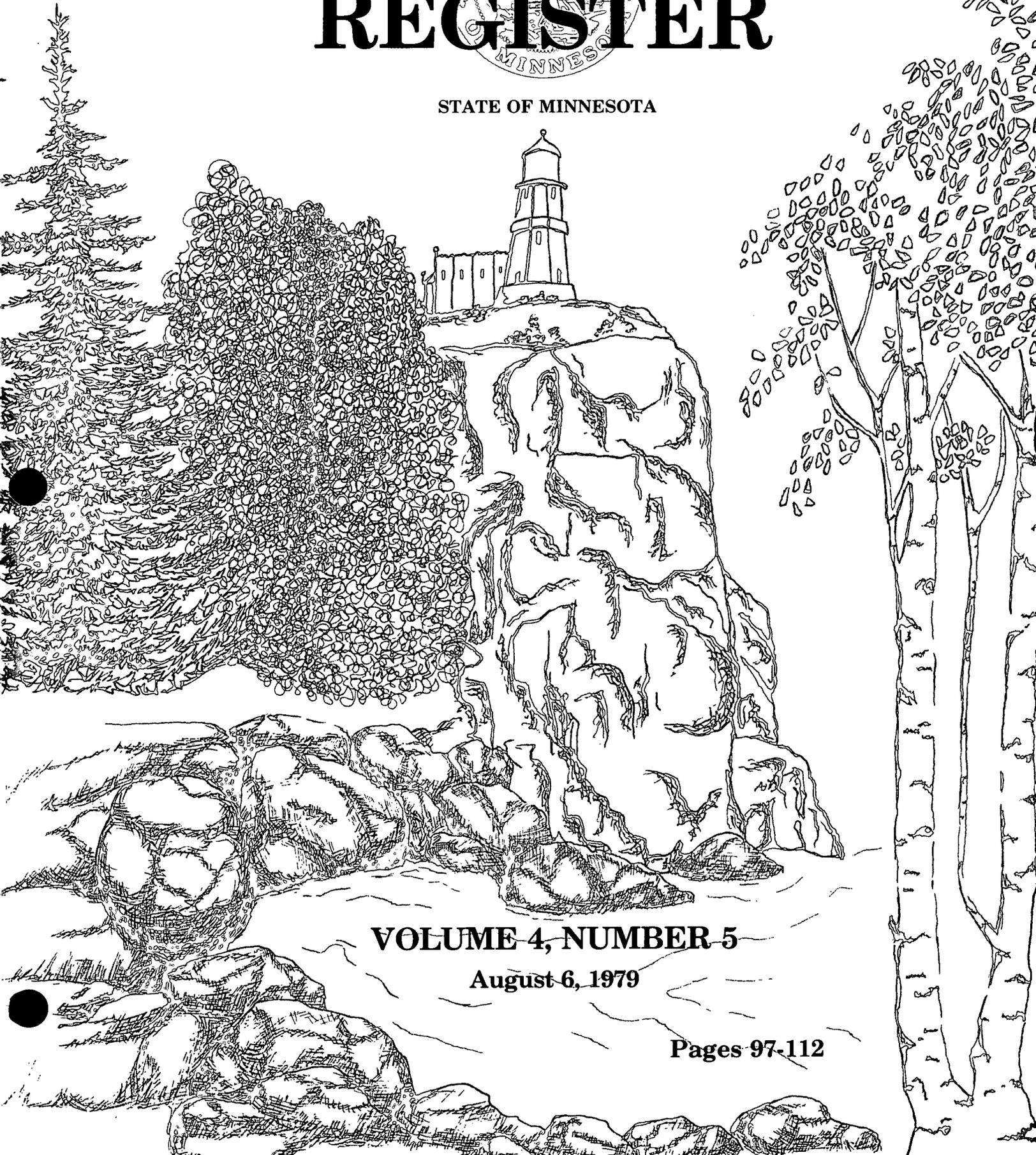


P182
79/86

STATE REGISTER

STATE OF MINNESOTA



VOLUME 4, NUMBER 5

August 6, 1979

Pages 97-112

STATE REGISTER

Volume 4 Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices.	Issue Date
SCHEDULE FOR VOLUME 4			
6	Monday July 30	Monday Aug 6	Monday Aug 13
7	Monday Aug 6	Monday Aug 13	Monday Aug 20
8	Monday Aug 13	Monday Aug 20	Monday Aug 27
9	Monday Aug 20	Monday Aug 27	Monday Sept 3

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of Public Hearings on proposed rules are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102.

The *State Register* is published by the State of Minnesota, Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102, pursuant to Minn. Stat. § 15.0411. Publication is weekly, on Mondays, with an index issue in August. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$110 per year, and \$85 per year for additional subscriptions, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota, Publication Number 326630. (ISSN 0146-7751) No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$2.25 per copy.

Subscribers who do not receive a copy of an issue should notify the *State Register* Circulation Manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, and official notices to the public. Judicial notice shall be taken of material published in the *State Register*.

Albert H. Quie
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MCAR AMENDMENTS AND ADDITIONS

The following is a listing of all proposed and adopted rules published in Volume 4, Number 1 of the *State Register*. The listing is arranged in the same order as the table of contents of the *Minnesota Code of Agency Rules* (MCAR). All adopted rules published in the *State Register* and listed below amend the rules contained in the MCAR set. Both proposed temporary and adopted temporary rules are listed here although they

are not printed in the MCAR due to the short term nature of their legal effectiveness. During the term of their legal effectiveness, however, adopted temporary rules do amend the MCAR. A cumulative listing of all proposed and adopted rules is published each quarter and at the end of the volume year.

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THE FURNISHINGS of a pioneer log cabin showed the skill of its owners in the art of woodcraft. Families brought with them to Minnesota only a few necessary items. On arrival they built tables, beds, benches, and stools from logs and rough boards. Many families did not have a stove and used the fireplace for both heating and cooking. These fortunate pioneers had both a sewing machine and a piano in their log cabin when this picture was taken in the 1890s. (Courtesy of the Minnesota Historical Society)

EXECUTIVE ORDERS

Executive Order No. 79-33

Providing for Delegation of Authority to the State Planning Agency and to the Director of the State Planning Agency

I, Albert H. Quie, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

WHEREAS, Minnesota Statutes vest in me as Governor certain additional responsibilities as State Planning Officer; and,

WHEREAS, Minn. Stat. § 4.11, subd. 6, provides that these certain responsibilities may be delegated; and,

WHEREAS, various federal statutes and rules provide to the Governor the opportunity to assign certain functions to a state department or agency,

NOW, THEREFORE, I order:

1. That in accordance with the provisions of Minn. Stat. § 4.11, subd. 6 (1978), the duties and authorities assigned to me as State Planning Officer in Minn. Stat. § 4.11, subd. 7; 4.12; 4.13; 4.15; and 4.16, subds. 4 and 5 be delegated to the State Planning Director.

2. That, to the extent necessary, the Director may promulgate rules pursuant to Minn. Stat. § 4.17, to implement the power and duties described therein.

3. That pursuant to U.S. Office of Management and Budget Circular A-95 and U.S. Department of the Treasury Circular 1082, the State Planning Agency be designated as the *State Clearinghouse* and the *State Information Reception Agency*. It shall be the responsibility of the State Planning Agency to review and to insure comments on all applications for federal grants-in-aid and state plans covered by these circulars.

4. That pursuant to the provisions of P.L. 92-512, as amended, the State and Local Fiscal Assistance Act of 1972, the State Planning Agency be designated:

- a. as the State Coordinating Unit for matters relating to federal revenue sharing; and
- b. as the State Certifying Official for boundary changes, governmental reorganization or changes in state statutes affecting local government where these changes affect revenue-sharing entitlements.

5. That pursuant to P.L. 93-423, as amended, the Public Works and Economic Development Act of 1965, Section 302 (a), the State Planning Agency be designated as the agency to conduct a program of state economic development planning.

EXECUTIVE ORDERS

Pursuant to Minn. Stat. § 4.035 (1978), this order shall be effective 15 days after its publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Minn. Stat. § 4.035 (1978).

IN TESTIMONY WHEREOF, I hereunto set my hand on this 19th day of July 1979.

Albert H. Quil

RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 15.0412, subd. 4, have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption as proposed and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has

been deleted will be printed with strike outs and new language will be underlined, and the rule's previous *State Register* publication will be cited.

A temporary rule becomes effective upon the approval of the Attorney General as specified in Minn. Stat. § 15.0412, subd. 5. Notice of his decision will be published as soon as practicable, and the adopted temporary rule will be published in the manner provided for adopted rules under subd. 4.

Energy Agency

Adopted Rule Governing Filing Fees for Applications for Certificates of Need for Large Electric Generating Facilities and Large High Voltage Transmission Lines

The proposed rule published at *State Register*, Volume 3, Number 40, page 1853, April 9, 1979 (3 S.R. 1853), is adopted as of June 12, 1979. The adopted rule is identical to its proposed form.



THE EASTERN MOLE, with its beak-like nose, velvety fur and stubby, hairless tail, is found only in the southeast fourth of the state. The four-ounce animal feeds mostly on worms.

SUPREME COURT

Decisions Filed Friday,
July 27, 1979

Compiled by John McCarthy, Clerk

48579, William J. Stawikowski, Relator vs. Collins Electric Construction Co., and Commissioner of Department of Economic Security, and Floyd Turley, Relator, vs. Muska Electric Co., and Commissioner of Department of Economic Security, and Dennis C. Moore, Relator, vs. Peoples Electric Co., Inc., and Commissioner of Department of Economic Security. Department of Economic Security.
48580,
48581/376
(1978)

Termination of employment by reason of a seniority provision contained in a collective bargaining agreement is voluntary within the contemplation of Minn. St. § 268.09, subd. 1, as construed in *Anson vs. Fisher Amusement Corp.* 254 Minn. 93, 93 N.W. 2d 815 (1958).

Affirmed. Rogosheske, J. Took no part, Scott, J.

47906/89½ State of Minnesota vs. Alfredo Rosillo, Appellant. Faribault County.

Where the record of trial and postconviction proceedings supports the postconviction court's conclusion that defense counsel did not in fact prohibit defendant from testifying in his own behalf, a new trial is not warranted even though we regard a defendant's right to testify constitutionally protected.

Affirmed. Rogosheske, J.

49371/202 Russell William Bangert, Appellant, vs. State of Minnesota. Blue Earth County.

Where defendant fatally shot his half sister and her husband while they slept in their bedroom, the postconviction court correctly concluded that evidence introduced at trial was sufficient to support convictions of first-degree murder. Evidence of intoxication not disclosed at trial but presented in a postconviction proceeding does not entitle defendant to a new trial when there is no indication that such intoxication prevented or impaired his ability to premeditate.

The postconviction court correctly concluded that the trial court did not abuse its discretion by failing to order a change of venue on its own motion.

The trial court erred in staying execution on defendant's second life sentence, Minn. St. § 609.135, and the postconviction court acted properly in correcting the sentence by removing the stay, Rule 27.03, subd. 9, Rules of Criminal Procedure. While consecutive life sentences violate neither the federal constitution nor state law, on these facts the interests of justice require a remand to the trial judge for resentencing.

Sentence vacated; remanded for resentencing. Rogosheske, J.

48794/276 Frederick L. Fintel vs. Tri-State Insurance Company of Minnesota, Appellant, and State Morristown Agency, Inc. LeSueur County.

Where there was no evidence that an insurance agent and the insured, after making an oral contract to bind fire insurance coverage until issuance and delivery of a policy to the insured, ever adopted a subsequently prepared binder as the complete and accurate integration of their contract, the parol evidence rule was not applicable to preclude evidence varying the terms of the binder in an action to recover for a fire loss sustained before delivery of a policy. The evidence justified the directed verdict in favor of the insured on the issue of coverage.

Affirmed. Rogosheske, J.

48236/8 W. H. Barber Company vs. McNamara-Vivant Contracting Company, Inc., and Bituminous Materials, Inc., Appellants. Hennepin County.

Because defendant asphalt contractors did not adequately establish the validity in the present case of any of the exceptions to the Uniform Commercial Code Statute of Frauds, Minn. St. § 336.2-201, they were properly barred by the trial court from enforcing an oral agreement by which plaintiff asphalt cement distributor promised to provide defendants price protection on asphalt cement shipments.

The jury's special verdict finding that defendants' president did not object to imposition of plaintiff's service charge on 1974 overdue accounts before June 1, 1974, was conclusive, and therefore the trial court's finding that defendants knew of but did not object to imposition of the service charge before they ordered from plaintiff the asphalt material in question in the present case was not clearly erroneous.

Affirmed. Peterson, J. Took no part, Otis, J.

49008/114 Darrell R. Shreve, Relator vs. Department of Economic Security. Department of Economic Security.

The 1977 amendment to Minn. St. § 268.08, subd. 1(3), creates irrebuttable presumption of unavailability for work, which offends neither federal nor state constitution.

Affirmed. Peterson, J. Took no part, Otis, J.

49032/116 The Pillsbury Company vs. Allan Elston, Appellant. Hennepin County.

The trial court's holding that plaintiff has an enforceable right to purchase shares of its stock from a former officer who acquired the shares pursuant to plaintiff's Qualified Stock Option Plan at the option price paid by the officer is affirmed. However, since the officer holds the shares in joint tenancy

SUPREME COURT

with his wife and she is not a party to this action, the trial court's order must be modified because the wife's interest in the shares cannot be affected in this proceeding.

Affirmed, and remanded with directions to modify. Peterson, J.

Took no part, Todd, J.

46659/177 State of Minnesota vs. Anthony Kenneth Malley, Appellant. Hennepin County. (1977)

Inherent in the jury's verdict of murder in the first degree are findings that the state proved beyond a reasonable doubt each of the elements of that crime and that the defendant did not prove by the greater weight of the evidence that he did not know the nature of his act or that it was wrong. There is ample evidence in this case to sustain such findings by the jury which are implicit in reaching that verdict.

The defendant, by not requesting an instruction on lesser degrees of the crime, waived any right to have such lesser degrees submitted to the jury.

The jury's verdict of murder in the first degree is affirmed.

Affirmed. Kelly, J. Dissenting, Otis, Rogosheske, Yetka, and Wahl, JJ.

48950/112 Big Brothers, Inc., and Paul J. Rimarcik, petitioners vs. Minneapolis Commission on Civil Rights and Gary E. Johnson, complainant, Appellant. Hennepin County.

The Minneapolis Civil Rights Ordinance does not prohibit Big Brothers, Inc. from inquiring as to affectional and sexual preferences of potential big brothers and disseminating that information to the mothers of potential little brothers.

Affirmed. Kelly, J. Took no part, Rogosheske, J.

49264/251 United Hardware Distributing Company, Relator vs. The Commissioner of Revenue. Tax Court.

Bulk sales of monthly advertising circulars for distribution to individuals other than as inserts to legal newspapers are exempt from sales tax as sales of "publications" pursuant to Minn. St. § 297A.25, subd. 1(i).

Reversed. Kelly, J.

48056/377 June Loftis vs. Legionville School Safety Patrol Training Center, Inc., Relator and Department of Economic Security. Department of Economic Security. (1978)

An employee terminated after employment for a specified 11 week program is not qualified for unemployment benefits.

Reversed. Todd, J. Took no part, Otis and Scott, JJ.

49035/206 Rum River Lumber Company vs. State of Minnesota and the Department of Public Welfare, Appellants. Ramsey County.

The evidence supports the finding that the act of an escaped mental patient in setting fire to a lumberyard was not a superseding cause in relation to the causal negligence of a state hospital in allowing the patient to escape.

The trial court correctly instructed the jury that a hospital owes third persons a duty of care to control the conduct of a mental patient over whom it has custody and authority if the hospital foresees an unreasonable risk of harm presented by the patient.

The evidence supports the jury's award of lost profits as damages caused by the negligence of the defendants.

Affirmed. Todd, J. Took no part, Otis and Peterson, JJ.

49546, 49566/191, 191½ Nathan D. Stein, appearing by Laurel C. Stein, his guardian ad litem, vs. Regents of the University of Minnesota, et al, Appellants, Dr. Elke Eckert, et al., and Alice Alton vs. University of Minnesota Hospitals, Appellant, John Doe, whose true name is unknown. Hennepin County.

The operation of the University of Minnesota Hospitals is primarily a proprietary rather than a governmental activity and the University Hospitals are therefore not immune from tort liability for causes of action arising prior to this court's decision in *Nieting vs. Blondell*, 306 Minn. 122, 235 N.W. 2d 597 (1975).

Affirm both actions. Yetka, J. Took no part, Otis and Todd, JJ.

49117/147 Jerold Moeller, Relator vs. Minnesota Department of Transportation and Department of Economic Security. Department of Economic Security.

An employee who has voluntarily entered treatment for alcoholic addiction has made a reasonable effort to retain his employment and, thus, is not disqualified for unemployment compensation benefits when he is discharged for misconduct due to alcoholism.

Reversed. Wahl, J. Took no part, Otis, J.

49241, 49477/200 Linda Wendt, by and through her guardian, Bernadine Geiser, a.k.a. Betty Geiser, and Daniel Wendt, Appellants vs. County of Osceola, Iowa, County of Nobles, Minnesota and Michelle Dixon, by her father and natural guardian, Ronald Dixon, and Ronald Dixon, individually, vs. Linda Wendt, County of Osceola, Iowa and County of Nobles, Minnesota. Nobles County.

SUPREME COURT

Jurisdiction over Osceola County, Iowa is proper pursuant to Minn. St. § 543.19 where Osceola County allegedly committed a tort in Minnesota and has sufficient contacts with the State of Minnesota to satisfy the demands of due process.

Reversed and remanded. Wahl, J. Took no part, Scott, J.

48486, 48564/Commissioner of the Minnesota Department of Economic Security, et al, (48486) and Commissioner of the Minnesota Department of Economic Security, et al, (48564) vs. City of Duluth, Minnesota, Relator. Department of Economic Security.

Termination of employment by reason of its provisional or temporary nature, known in advance by the employee, is

voluntary within the contemplation of Minn. St. § 268.09, subd. 1, as construed in Anson vs. Fisher Amusement Corp. 254 Minn. 93, 93 N.W. 2d 815 (1958).

Affirmed in part, reversed in part. Stone, J. Took no part, Scott, J.

49213/180 In the Matter of the Application for the Discipline of Joseph E. Cartwright, an Attorney at Law of the State of Minnesota. Supreme Court.

An attorney's repeated refusal to cooperate with appropriate lawyers' disciplinary authorities concerning ethics complaints filed against him constitutes unprofessional conduct.

Temporarily suspended. Per curiam.

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Department of Administration procedures require that notice of any

consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contract person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal.

Department of Education Instruction Division

Notice of Request for Proposal for Four Slide/Tape Presentations for the Nutrition Education and Training Program

The Minnesota Department of Education is seeking proposals for the design, development and preparation of four slide/tape presentations. The topics of the slide/tape presentations are:

1. Relation of food and nutrition to health
2. Consumer nutrition education
3. Minnesota's role in supplying food to its citizens, the nation, and the international market
4. Child nutrition programs

For formal Request for Proposal document, interested parties should contact:

Barbara Kalina
Minnesota Department of Education
638 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
612/296-4055

Notice of Request for Proposals for Evaluation of the Nutrition Education and Training Program

The Minnesota State Department of Education is seeking proposals which will design and implement an evaluation of the Nutrition Education and Training Program. Both formative and summative evaluation will be required in the evaluation plan. Project monitoring, progress reports and a final report are required.

The estimated amount of the contract is \$22,000 for a 12 month period.

Final submission date of completed proposal: 4:30 p.m., August 24, 1979.

For formal Request for Proposal document, interested parties should contact:

Barbara Kalina
Minnesota Department of Education
638 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
612/296-4055

STATE CONTRACTS

Office of the State Public Defender

Notice of Request for Proposals for Consultant Services

Description of the Project or Tasks: Research and prepare appellate briefs, prepare and deliver oral arguments in the Supreme Court, research and prepare post conviction petitions, represent clients in post conviction proceedings throughout the state, assist trial court public defenders throughout the state, participate in lectures and demonstrations at continuing legal education seminars for lawyers, judges, prosecutors, defenders and police, prepare legal memoranda and monologues, represent clients where public defender has conflict of interest, consult with public defender on legal matters, and apply expertise gained from years of experience in above areas.

Cost Estimate: \$12,000.00 at \$25.00 per hour, plus \$360.00 travel expenses.

Final Submission Date: Shall be effective on July 1, 1979, or upon such date as it is executed, and shall remain in effect until June 30, 1980, or until all obligations set forth in contract have been satisfactorily fulfilled, whichever occurs first.

Contact Person: C. Paul Jones
Office of the State Public Defender
S95, New Law Bldg., Univ. of Minnesota
229 19th Avenue South
Minneapolis, MN 55455
(612) 373-5725

C. Paul Jones

Notice of Request for Proposals for Consultant Services

Description of the Project or Tasks: Represent clients in post conviction proceedings throughout the state, participate in lectures and demonstrations at continuing legal education seminars for lawyers, judges, prosecutors, defenders and police, prepare legal memoranda and monologues, represent clients where public defender has conflict of interest, consult with public defender on legal matters, and apply expertise gained from years of experience in above areas.

Cost Estimate: \$9,500.00 at \$25.00 per hour, plus \$400.00 travel expenses.

Final Submission Date: Shall be effective on July 1, 1979, or upon such date as it is executed, and shall remain in effect until June 30, 1980, or until all obligations set forth in contract have been satisfactorily fulfilled, whichever occurs first.

Contact Person: C. Paul Jones
Office of the State Public Defender
S95 New Law Bldg., Univ. of Minnesota
229 19th Avenue South
Minneapolis, MN 55455
(612) 373-5725

C. Paul Jones

Higher Education Coordinating Board

Notice of Request for Proposals for Work-flow Assessment of State Administered Financial Assistance Program

The Minnesota Higher Education Coordinating Board is seeking the services of a work-flow consultant to analyze the current operating procedures and process of the ten state administered student assistance programs. The analysis should concentrate on the application process, and procedures for verifying of essential program data, performance of subcontractors, protection of fiscal integrity, data privacy and recommendations of actions or options to management. Estimated cost of this contract is \$20,000.00.

Those interested in receiving requests for proposals should contact:

Arlon J. Hauptert
Administrative Services Manager
400 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-9685

Proposals will be accepted until 4:00 p.m., August 27, 1979.

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on

the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Ethical Practices Board

Notice of Intent to Solicit Outside Opinions and Comments to the Following Request for An Advisory Opinion Regarding Lobbyist Reporting Requirements of Fees Which Will Be Acted Upon By the Board At Its Meeting On Friday, August 24, 1979

July 24, 1979

Mr. B. Allen Clutter
Executive Director
Minnesota State Ethics Commission
41 State Office Building
St. Paul, Minnesota 55155

Re: *Minnesota State Ethics Commission Advisory Opinion*

Dear Mr. Clutter:

We are writing this letter on behalf of this firm, Broeker, Hartfeldt, Hedges & Grant, to request an advisory opinion of the Minnesota State Ethics Commission regarding the reporting requirements applicable to professional legal services.

Various attorneys of this firm are registered as lobbyists and provide professional legal services to clients, a portion of which may be deemed by the Board to be lobbying under state law. We are particularly concerned with the language in 9 MCAR § 1.0204 A.3.c. which defines fees and allowances as follows:

"This category shall include disbursements for consulting fees, or other fees, for services done or to be done, as well as expenses incurred in rendering such services"

The professional legal fees we receive are paid to the partnership of the law firm. A portion of these fees are paid as salary to individuals registered as lobbyists. We understand that this portion of the fee is not required to be disclosed by Minnesota State Ethical Practices Board Advisory Opinion No. 38. However, another portion of the fee is distributed to the partners of the firm who are non-salaried lawyers. We seek an advisory opinion as to whether this portion of professional legal fees must be disclosed and if so, the manner in which these fees must be disclosed.

We also seek an advisory opinion as to whether a pro rata portion of secretarial and other non-registered lobbyist support staff salaries are reportable insofar as they represent time spent in assisting registered lobbyist attorneys in preparing reports and materials used in lobbying. If a salary proration is required, we seek a further advisory opinion as to the manner of reporting to be used.

If we can be of any further assistance in providing additional facts or information, please feel free to contact us.

Very truly yours,

Allene D. Evans
BROEKER, HARTFELDT, HEDGES & GRANT
2850 Metro Drive — Suite 800
Minneapolis, Minnesota 55420

Department of Human Rights

Notice of Intent to Solicit Outside Opinion Concerning a Proposed Rule Relating to Sex Discrimination in Athletic Programs

Notice is hereby given that the Minnesota Department of Human Rights is considering adoption of rules which would establish standards for determining an educational institution's compliance with the prohibition in Minn. Stat. § 363.03, subd. 5 (1976) against sex discrimination in the access to and benefit from athletic programs.

The proposed rules are authorized by Minn. Stat. § 363.05, subd. 1(8) (1976) which allows the Commissioner to adopt suitable rules and regulations for effectuating the purpose of Chapter 363. These proposed rules would apply to all primary, junior, and senior high schools in the state, and all associations, organizations, or leagues entered into by these educational institutions which promote sports or adopt rules for the conduct of athletic contests between members. These proposed rules would establish the condition pursuant to which the educational institution can and shall establish athletic teams on which participation is restricted on the basis of sex, providing for determining the athletic interests of female students, and requirements for the collection and maintenance of data regarding athletic programs.

OFFICIAL NOTICES

All interested or affected persons or groups may submit information on this subject. Written or oral information and comment should be addressed to:

Diane Vener Johnson
Minnesota Department of Human Rights
240 Bremer Building
St. Paul, Minnesota 55101
(612) 296-5676

All statements of information and comment must be received by September 4, 1979. Any written material received by this date will become part of the record of any rules hearing held on this subject.

July 30, 1979

Marilyn E. McClure
Commissioner

Department of Public Welfare Bureau of Income Maintenance

Notice of Intent to Solicit Outside Opinion Concerning the General Assistance Medical Care Rule

Notice is hereby given that the Minnesota Department of Public Welfare is considering draft amendments to DPW Rule 58 (General Assistance Medical Care). This rule governs a state-wide General Assistance Medical Care Program and governs state financial participation in county welfare medical costs as authorized by Article II, Chapter 437, Minnesota Laws of 1975. The proposed draft amendments will provide for clarification of the services which may be provided by the General Assistance Medical Care Program. In addition, the proposed amendments will establish standards of eligibility for General Assistance Medical Care.

All interested or affected persons or groups are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Lowell J. Bjoraker
Department of Public Welfare
Policy and Planning Unit
Medical Assistance Program
690 North Robert Street
P.O. Box 43170
St. Paul, Minnesota 55164

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-2274.

All statements of information and comment must be received by August 27, 1979. Any written material received by the Department shall become part of the hearing record.

Department of Commerce Banking Division

Bulletin No. 2111: Maximum Lawful Rate of Interest for Mortgages for the Month of August 1979

Notice is hereby given that the Banking Division, Department of Commerce, State of Minnesota, pursuant to House File No. 564, Chapter 279, 1979 Session Laws, as it amended Minn. Stat. § 47.20, subd. 4, effective May 31, 1979, hereby determines that the maximum lawful rate of interest for home mortgages for the month of August, 1979, is eleven and three-quarters (11.75) percent.

July 26, 1979

Michael J. Pint
Commissioner of Banks

Metropolitan Council

Public Hearing on Metropolitan Sports Facilities Commission 1980 Proposed Budget

The Metropolitan Sports Facilities Commission will hold a Public Hearing on Wednesday, August 15, 1979 at 10:00 a.m. in the Metropolitan Council Chambers, 300 Metro Square Building, St. Paul, Minnesota 55101, for the purpose of receiving public comment on its proposed 1980 budget. It is proposed that the estimated expenditures contained therein will be financed according to law by revenues from tenant leases and a 3% admissions tax relating to activities at Metropolitan Stadium. All interested persons are invited to present their views on the proposed 1980 budget at this hearing.

Persons may register in advance to speak at the hearing by phoning 291-6595. Copies of the proposed budget will be available, free of charge, after August 1, 1979 at the Commission offices, Suite 402, Metro Square Building, St. Paul, Minnesota 55101.

Dan Brutger, Chairman

**Minnesota State
Agricultural Society
Minnesota State Fair**

Meeting Notice

The first scheduled meeting of the Minnesota State Agricultural Society's board of managers during the 1979 State Fair will be at 9 a.m. Friday, Aug. 24, in the Administration Building on the fairgrounds, Falcon Heights.

Subsequent meetings will be at the call of the society's president as necessary to conduct fair-related business. Dates and times will be available from Jerry Hammer at publicity headquarters in the Service Building on the fairgrounds.

STATE OF MINNESOTA
OFFICE OF THE STATE REGISTER

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